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Practitioner's Docket No. 19981193

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dispensa, et al.

Application No. 09/981,193

Group No.: 2681

Date Filed: 10/17/2001

Examiner: Not Yet Assigned

For: BROADBAND WIRELESS COMMUNICATIONS USING MULTIPLE CONTENTION CHANNELS

Box Missing Parts
Assistant Commissioner for Patents
Washington DC 20231

PETITION TO FILE DECLARATION ON BEHALF OF
NONSIGNING INVENTOR (37 C.F.R. § 1.47)

Applicants petition the acceptance of the Declaration and Statement in lieu of the executed Declaration by an inventor, Steve Dispensa.

The inventor, Steve Dispensa, has been uncooperative and numerous attempts to obtain his signature have been unsuccessful.

Statement of Facts on Behalf of Nonsigning Inventor (37 C.F.R. § 1.47) is being submitted with this Petition, establishing the diligent effort made to secure the execution of the Declaration by the nonsigning inventor.

The Commissioner is authorized to charge Deposit Account No. 21-0765 for the Petition Fee of \$130.00 (37 C.F.R. § 1.17(h))

A duplicate of this Petition is attached.

Respectfully submitted,

Date:

7-11-02

Brett L. Bornsen
Registration No. 46,566
(303) 546-1300

07/17/2002 AMONDAF1 00000104 09981193

02 FC:122 130.00 CH

Correspondence Address: Customer No. 28004

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Practitioner's Docket No. 1562

Patent

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE



In re application of: Dispensa, et al.

Application No.: 09/981,193

Group No. 2681

Filed: 10/17/2001

Examiner: Not Yet Assigned

For: **BROADBAND WIRELESS COMMUNICATIONS USING MULTIPLE
CONTENTION CHANNELS**

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING
INVENTOR (37 C.F.R. § 1.47)**

This statement is made as to the facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor, Steve Dispensa, for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is also being made by the available person having first-hand knowledge of the facts recited therein.

IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS

Brett L. Bornsen, Reg. No. 46,566
1900 Fifteenth Street
Boulder, CO 80302

I am an attorney of record for the joint inventors of this patent application as is evidenced by the Power Of Attorney signed by the joint inventors. Pursuant to 37 CFR § 1.47(a), I am submitting this patent application on behalf of the joint inventors with Steve Dispensa.

**EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND
OBTAIN INVENTOR'S SIGNATURE**

The attorney of record used reasonable efforts to obtain a signed Declaration from Steve Dispensa, which were unsuccessful. Please see attached Timeline which details the correspondence with Steve Dispensa to obtain execution of the Declaration.

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LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

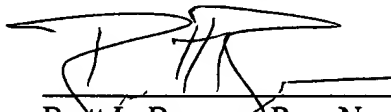
Steve Dispensa
3329 W. 145th Street
Leawood, KS 66224
Telephone: (913) 488-4271
Email address: dispensa@positivenetworks.net

FURTHER REMARKS

The attorney of record has submitted the petition, proof of pertinent facts, the fee, and the last known address of Steve Dispensa. Therefore, we ask that this patent application be entered on behalf of the joint inventors who properly executed a Declaration.

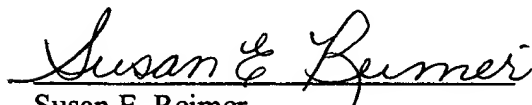
Respectfully submitted by:

FAEGRE & BENSON LLP



Brett L. Bornsen, Reg. No. 46,566
Telephone: (303) 546-1300
Facsimile: (303) 449-5426

I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail Label No.EV 029431554 US and addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on this date: 7/11/02.



Susan E. Reimer

7/11/02

Date

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TIMELINE OF CONTACT WITH STEVE DISPENSA



02/19/2002 Sent copy of patent application and formal papers to Steve Dispensa

03/27/2002 Sent email reminder message to Steve Dispensa

04/05/2002 Sent duplicate copies of application and Declaration to Steve Dispensa

05/13/2002 Sent email reminder message to Steve Dispensa

05/13/2002 –

05/24/2002 Spoke with Steve Dispensa on telephone

05/24/2002 Received email from Steve Dispensa

05/28/2002 Received email from Steve Dispensa providing contact telephone number

05/29/2002 Received email message from Steve Dispensa stating that he had spoken with Brett Bornsen

06/20/2002 Sent email message to Steve Dispensa asking for status. Received return email message from him

06/28/2002 Called and spoke with Steve Dispensa

07/01/2002 Called and spoke to Steve Dispensa

07/08/2002 Sent email message to Steve Dispensa asking for status. No reply

07/09/2002 –

07/10/2002 Numerous telephone messages left for Steve Dispensa. No response

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